



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,740	09/22/2003	Bret A. Bailey	BOC9-2003-0028 (397)	1890
40987	7590	04/27/2009		
Novak Druce + Quigg LLP CityPlace Tower, 525 Okeechobee Blvd. Fifteenth-Floor WEST PALM BEACH, FL 33401			EXAMINER TRAN, TUYETLIEN T	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 04/27/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/667,740	Applicant(s) BAILEY ET AL.	
	Examiner TUYETLIEN T. TRAN	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-8 and 23-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-8, 23-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2179

DETAILED ACTION

1. This action is responsive to the following communication: Amendment filed 1/16/09.

This action is made final.

2. Claims 1, 2, 4-8, 23-35 are pending in the case. Claims 1, 23, 28 and 35 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. **Claims 1, 4-8, 23-28, 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paxhia et. al. (Pub No. 2002/0052935 A1, hereinafter Paxhia) in view of Rubin et al (Patent No. 5825361; hereinafter Rubin).**

As to claim 1, Paxhia teaches:

A method for configuring Transmission Control Protocol/Internet Protocol (TCP/IP) settings on a computer having only a non-graphical user interface for manually manipulating

Art Unit: 2179

TCP/IP configuration flat file (e.g., see Fig. 13 and [0041], [0042], [0064], [0065]; wherein system configuring is performed through a non-graphical user interface as shown in [0005]) comprising the steps of:

providing a graphical user interface for configuring the TCP/IP settings including at least one control (e.g., see Figs. 12, 13 and [0042], [0065]);

accessing data contained within at least one configuration flat file containing the TCP/IP settings for said computer (e.g., read current settings from the configuration file, see [0042], [0051]; note that current settings also includes TCP/IP settings as shown in Figs. 12, 13);

displaying the TCP/IP settings based upon said accessed data within said graphical user interface (e.g., build configuration pages filled in with the settings from the configuration file, see [0051] and Figs. 11-13); and

altering one or more of said TCP/IP settings within said at least one configuration flat file responsive to manipulation of said at least one control (e.g., read the values contained in the configuration pages and write those values out to the configuration file, see [0051] and Fig. 11, Fig. 12).

Paxhia does not teach integrating the graphical user interface with the non-graphical user interface.

In the same field of endeavor of system configuration, Rubin teaches a graphical user interface for enabling a user to configure data processing including network configuration (e.g., item 306 in Figs. 3-9). Rubin teaches integrating the graphical user interface with a non-graphical user interface (e.g., col. 12 lines 9-43; wherein the user can set the network configuration of the computer currently running the GUI). Accordingly, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to have modify the network configuration system of Paxhia to include the feature of integrating the graphical user interface with a non-graphical user interface to achieve the claimed invention. As suggested by

Art Unit: 2179

Rubin, one would have been motivated to make such a combination is to configure data processing feature of a computer system in an efficient and straightforward way (e.g., col. 1 lines 49-53).

As to claim 23, claim 23 reflects a computer-readable storage having stored thereon, a computer program having a plurality of code sections, said code sections executed by a computer for causing the computer to perform the steps as claimed in claim 1 (e.g., see [0018], [0065], and page 25 lines 7-11), and therefor is rejected along the same rationale. Including the following: Paxhia teaches the graphical user interface comprises a plurality of interface elements (e.g., see Figs. 11-13).

As to claim 28, claim 28 reflects a computer-readable storage having stored thereon, a computer program having a plurality of code sections, said code sections executed by a computer for causing the computer to perform the steps as claimed in claim 1 (e.g., see [0018], [0065], and page 25 lines 7-11), and therefor is rejected along the same rationale.

As to claim 35, claim 35 reflects a system for implementing the steps as claimed in claim 1 (e.g., see [0018], [0065], and page 25 lines 7-11), and therefor is rejected along the same rationale.

As to claims 4, 24, 30, Rubin teaches integrating said graphical user interface with an interface component of an operating system of a computer (e.g., Figs. 3, 4, col. 12 lines 9-43). Thus, combining Rubin and Paxhia would meet the claimed limitations for the same reasons as set forth in the foregoing rejection of claim 1.

As to claims 5, 27 and 31, Paxhia further teaches displaying help relating to configuring TCP/IP communication settings of said computer within said graphic user interface (e.g., see [0047], [0048], Figs. 11-13).

As to claims 6 and 32, Paxhia further teaches:

providing a selection list within said graphical user interface, said selection list including a multitude of user-selectable settings for at least one configuration parameter of said configuration flat file (e.g., see [0051] and Fig. 11); and

updating said configuration parameter responsive to a selection within said selection list (e.g., read the values contained in the configuration pages and write those values out to the configuration file, see [0051] and Fig. 13).

As to claims 7 and 33, Paxhia further teaches synchronizing multiple ones of said at least one configuration file using said graphical user interface (e.g., read current settings from the configuration file and build configuration pages filled in with those settings, see [0051] and Fig. 11).

As to claims 8, 26 and 34, Paxhia further teaches checking a validity of at least one parameter stored within said configuration flat file using said graphical user interface (e.g., see [0050]).

As to claim 25, Paxhia further teaches wherein at least a portion of said plurality of interface elements accept input (e.g., see Fig. 11 and Fig. 13), and wherein said input is restricted to prevent invalid configuration settings from being written to said flat file (e.g., configuration file validation program, see [0050]).

5. Claims 2 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paxhia in view of Rubin further in view of Spiegel et al. (Pub No US 20030055863 A1, hereinafter Spiegel).

Art Unit: 2179

As to claims 2 and 29, Paxhia and Rubin teach the claimed limitations of claims 1 and 28 for the same reasons as set forth in the foregoing rejection of claims 1 and 28. Paxhia and Rubin do not teach the graphical user interface is configured for at least one of a 32-bit multiple virtual storage operating system and a 64-bit multiple virtual storage operating system.

Spiegel teaches a method and apparatus for managing a resource in an information handling system particularly for a computer having a z/architecture in which a user interface is provided for an operator to configure and manage the resource in the computer (e.g., see [0009], [0012], and [0030], [0031]). Spiegel teaches the graphical user interface is configured for at least one of a 32-bit multiple virtual storage operating system and a 64-bit multiple virtual storage operating system (e.g., see [0031]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the internet connection configuration graphical user interface as taught by Paxhia to the configuration graphical user interface that can be applied to a zSeries server as taught by Spiegel to achieve the capability to graphically configure internet connection on a computer having only a non-graphical user interface for manually manipulating TCP/IP configuration files. The motivation to combine the teachings of Paxhia with Spiegel is to allow easy manipulation of parameters such as IP address, network address, as well as name server and because Paxhia suggests to the skilled artisan that a graphical user interface presents to a user a much more user-friendly interface than non-graphical user interface (e.g., see Paxhia [0005]).

Response to Arguments

6. Applicant's arguments filed 1/16/09 have been fully considered but they are not persuasive.

Art Unit: 2179

◆ Applicant argues that the configuration file in Paxhia is restricted in usage and not alterable by way of any HTML configuration or administration forms (e.g., see Applicant's remark page 10, para 4 through page 11 para 1).

In response, the examiner respectfully disagrees. Paxhia discloses a computer system that has only a non-graphical user interface for manually manipulating TCP/IP configuration flat file (e.g., see Fig. 13 and [0041], [0042], [0064], [0065]; wherein system configuring is performed through a non-graphical user interface as shown in [0005]). Paxhia further teaches the flat file or configuration file of the computer system can be used to configure TCP/IP using a web server (e.g., see [0042]). Paxhia teaches the configuration file can be modified through HTML configuration form (e.g., see [0048], [0050], [0051], [0058]; wherein read-write administration configuration file).

◆ Applicant argues that the prior art of Paxhia does not disclose the limitation of integrating a graphical user interface (GUI) into computers that only have a non-graphical user interface (e.g., see Applicant's remark page 11 para 2).

In response, the examiner directs the applicant to the fact that in the 12/08/08 Office Action, the rejection of claim 1 clearly cited that Paxhia does not teach integrating the GUI with the non-graphical user interface. The prior art of Rubin is relied upon for teaching this limitation as can be seen in the foregoing rejection of claim 1.

◆ Applicant argues that the prior art of Rubin does not disclose the limitation of integrating a graphical user interface (GUI) into computers that only have a non-graphical user interface (e.g., see Applicant's remark page 12 para 2).

In response, the examiner respectfully disagrees and directs the applicant to the fact that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In this case, the

Art Unit: 2179

Paxhia discloses a computer system that has only a non-graphical user interface for manually manipulating TCP/IP configuration flat file (e.g., see Fig. 13 and [0041], [0042], [0064], [0065]; wherein system configuring is performed through a non-graphical user interface as shown in [0005]). The examiner then admits that Paxhia does not teach integrating the graphical user interface with the non-graphical user interface. However, Rubin teaches this limitation (e.g., see col. 12 lines 9-43; wherein the user can set the network configuration of the computer currently running the GUI; therefore, the network configuration is integrated with the non-graphical user interface). Accordingly, combining Paxhia and Rubin would meet the claimed invention for the same reasons as set forth in the foregoing rejection of claim 1.

Conclusion

7. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Art Unit: 2179

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuyetLien (Lien) T. Tran whose telephone number is 571-270-1033. The examiner can normally be reached on Mon-Friday: 7:30 - 5:00 (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. T. T./

Examiner, Art Unit 2179

/Weilun Lo/
Supervisory Patent Examiner, Art Unit 2179